

BakerHostetler

Baker&Hostetler LLP

45 Rockefeller Plaza
New York, NY 10111

T 212.589.4200
F 212.589.4201
www.bakerlaw.com

Amy E. Vanderwal
direct dial: 212.589.4612
avanderwal@bakerlaw.com

January 17, 2017

VIA EMAIL & ECF

Honorable Stuart M. Bernstein
United States Bankruptcy Court
Southern District of New York
One Bowling Green, Room 723
New York, New York 10004-1408
Email: bernstein.chambers@nysb.uscourts.gov

Re: Securities Investor Protection Corporation v. Bernard L. Madoff Investment Securities LLC, Adv. Pro. No. 08-01789 (SMB), Hearing on Motions in Limine in Profit Withdrawal Proceeding

Dear Judge Bernstein:

We are counsel to Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff. We have conferred with counsel for the claimants participating in the profit withdrawal litigation regarding availability for oral argument on the pending motions *in limine* (the “Motions”)¹ in the profit withdrawal litigation, which have now been fully briefed.

Subject to this Court’s schedule, the Parties are available to appear for oral argument on the Motions the week of March 20, 2017 or April 17, 2017.

The Trustee is available to the Court should it have any questions regarding the foregoing.

¹ See ECF Nos. 14365 (Participating Claimants Motion to Strike the Proposed Expert Testimony of Lisa M. Collura and Matthew Greenblatt); 14362 (Blums’ Motion *in Limine* to Exclude Unrelated Customer Account Materials, to Exclude Hearsay Statements Regarding Profit Withdrawals, and to Limit the Proposed Testimony of Lisa M. Collura and Matthew B. Greenblatt); 14355 (Trustee’s Motion *in Limine* Number 2 to Exclude Certain Testimony of Joel and Norman Blum); 14356 (Trustee’s Motion *in Limine* Number 3 to Exclude Deposition Testimony of Mr. Blecker); and 14357 (Trustee’s Motion *in Limine* Number 4 to Exclude the Trustee as a Witness). Trustee’s Motion *in Limine* Number 1 to Exclude the Testimony of Thomas S. Respass, III (ECF No. 14354) was withdrawn (ECF No. 14445) after a stipulation was entered into by the Trustee and Norman and Joel Blum (ECF No. 14444).

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Respectfully submitted,

Amy E. Vanderwal

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cc: Richard Kirby
Laura Clinton
Helen Davis Chaitman
Counsel to participating customers

Kevin H. Bell, Esq.
Securities Investor Protection Corporation